

STATE OF MAINE
CUMBERLAND, ss.

SUPERIOR COURT
DOCKET NO.:

MICHAEL DOYLE

Plaintiff,

v.

TOWN OF FALMOUTH

Defendant.

COMPLAINT

FACTS:

1. Defendant Town of Falmouth's Town Council led by Chairmen Caleb Hemphill, violated their Council rules and denied Plaintiff equal protection under the law as laid out in the 14th Amendment of the Constitution of the United States of America. The Council Rules were violated in Section 17 (Exhibit 1) when Councilor Hope Cahan blurted out after Plaintiff finished a comment at the podium, "*No applauding, (Cahan's word choice) we want to create a safe space for people who want to comment so would you please withhold from clapping or booing that would be greatly appreciated so everyone can speak and not held in judgment.*" without permission to speak from the Chairman Hemphill. Cahan, according to Council rules, Section 19 must make satisfaction before being allowed to speak or

vote after the breach. Hemphill allowed Cahan to vote on an item at the April 9th Council meeting. Plaintiff is required to abide by Council Rules while they violate and refuse to enforce their own rules of conduct. For example Democrats are allowed to drone on well after the five-minute limit at the podium has expired, while Plaintiff, a Republican, is constantly and strictly held to the five-minute limit.

2. Plaintiff moves the Court to invalidate all Council votes made that counted Cahan's vote from April 9th up to and including all other votes until Cahan makes satisfaction as defined by "a fulfillment of an obligation or claim" and mandate that all Council Rules be enforced equally on members as well as speakers at the podium both Democrats and Republicans.

3. Respectfully submitted this 10th day of April 2019



MICHAEL DOYLE
PMB 329
1465 Woodbury Ave.
Portsmouth, NH 03801
207.766.6644

Ex 1

MANNER OF SPEAKING

Section 17. When a member is about to speak, he/she shall respectfully address the Chairperson, confine himself or herself to the question under debate and avoid personalities.
(Added 5/27/08)

NOT TO INTERRUPT

Section 18. No member speaking shall be interrupted by another, but only by a call to order or to correct a mistake.
(Added 5/27/08)

BREACH OF RULES AND ORDERS

Section 19. When any member shall be guilty of a breach of any of the rules or orders of the Council, he/she may on motion be required to make satisfaction therefore and shall not be allowed to vote or speak, except by way of excuse, until he/she has done so.
(Added 5/27/08)

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AFFIDAVIT OF SERVICE

I, Michael Doyle, Plaintiff, on oath, depose and say that I caused notice of filing in the above-entitled matter to be given to the persons listed below, by mailing to such persons the documents hereinafter described:

DOCUMENTS SERVED: COMPLAINT

PERSONS NOTIFIED: TOWN OF FALMOUTH

271 Falmouth Rd., Falmouth, ME 04105

Dated at Portsmouth, New Hampshire, this 10th day of April, 2019

Michael Doyle




STATE OF MAINE

CUMBERLAND, SS:

April 10, 2019

Then personally appeared the above-named Michael Doyle and made oath that the foregoing Affidavit by him is true before me.



Notary Public

AMANDA JANE LAVOIE
Notary Public, State of Maine
My Commission Expires July 20, 2025

